

ELECTRONICALLY FILED
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2017-1-012158
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CIRCUIT COURT OF
COOK COUNTY, ILLINOIS
LAW DIVISION
CLERK DEBORAH BROWN

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

HARRIS and BRESHAUN HUNTER,)
Plaintiffs,)
vs.)
RONALD GERARD PYNE and LTL SERVICE,)
INC., a Wisconsin corporation,)
Defendants.)

CASE NO.:

COMPLAINT AT LAW

NOW COME the Plaintiffs DEVIN HARRIS and BRESHAUN HUNTER, by and through
their attorneys, POWELL & PISMAN, PLLC, and complaining of Defendants RONALD
GERARD PYNE and LTL SERVICE, INC., a Wisconsin corporation, state as follows:

GENERAL ALLEGATIONS

1. Plaintiff DEVIN HARRIS is, and at all times mentioned herein was a resident of the City of Chicago, County of Cook, in the State of Illinois.
2. Plaintiff BRESHAUN HUNTER is, and at all times mentioned herein was a resident of the City of Chicago, County of Cook, in the State of Illinois.
3. Defendant RONALD GERARD PYNE is, and at all times mentioned herein was a resident of the City of Franklin, County of Milwaukee, in the State of Wisconsin.
4. Defendant LTL SERVICE, INC. is, and at all times mentioned herein was, a Wisconsin corporation with its principal place of business at 1005 Columbia Avenue, in the City of South Milwaukee, County of Milwaukee, in the State of Wisconsin.
5. At all times pertinent, Defendant RONALD GERARD PYNE was an agent, servant, employee and/or joint venturer of Defendant LTL SERVICE, INC., and at all times mentioned herein was acting within the scope and course of said agency, employment, or joint venture, with

ALL-STATE LEGAL®

EXHIBIT

B

1 knowledge and permission and consent of Defendant LTL SERVICE, INC.

2 6. On November 27, 2016, Plaintiff DEVIN HARRIS owned, operated, maintained and
3 controlled a motor vehicle northbound on Interstate 90 at or near Kimball Avenue, in the City of
4 Chicago, County of Cook and State of Illinois.

5
6 7. On November 27, 2016, Plaintiff BRESHAUN HUNTER, was a passenger in the vehicle
7 owned and operated by DEVIN HARRIS.

8 8. On November 27, 2016, Defendant RONALD GERARD PYNE operated, maintained and
9 controlled a motor vehicle northbound on Interstate 90 at or near Kimball Avenue, in the City of
10 Chicago, County of Cook and State of Illinois when he suddenly and without warning rear-ended
11 the vehicle Plaintiffs DEVIN HARRIS and BRESHAUN HUNTER were in.

12
13 9. Defendant LTL SERVICE, INC. owned the motor vehicle driven by defendant RONALD
14 GERARD PYNE at the time of the collision at issue in this complaint.

15 10. Defendant RONALD GERARD PYNE operated the motor vehicle with the express
16 consent and in the course and scope of employment with Defendant LTL SERVICE, INC.
17 Accordingly, Defendant LTL SERVICE, INC. is responsible for all negligent acts of its
18 employees.
19

20 11. On the aforementioned date, Defendant RONALD GERARD PYNE negligently operated
21 the motor vehicle, causing a crash with the motor vehicle Plaintiffs DEVIN HARRIS and
22 BRESHAUN HUNTER were in.

23 12. As a direct and proximate result of the negligence of Defendants, Plaintiffs DEVIN
24 HARRIS and BRESHAUN HUNTER sustained injuries to their neck, shoulders, back, bodily
25 limbs, organs and systems, all or some of which conditions may be permanent and disabling in
26 nature.
27
28

1 13. As a direct and proximate result of the negligence of Defendants, Plaintiffs DEVIN
2 HARRIS and BRESHAUN HUNTER received medical and other treatment for the
3 aforementioned injuries, and that said services, care, and treatment are continuing and shall
4 continue in the future, all to the damage of Plaintiffs.
5

6 14. As a direct and proximate result of the negligence of Defendants, Plaintiffs DEVIN
7 HARRIS and BRESHAUN HUNTER have been required to, and have limited occupational and
8 recreational activities, which have caused and shall continue to cause Plaintiffs loss of earning
9 capacity, lost wages, physical impairment, mental anguish, and loss of enjoyment of life, in a
10 presently unascertainable amount.
11

12 15. As a direct and proximate result of the aforementioned negligent acts of all Defendants,
13 Plaintiffs DEVIN HARRIS and BRESHAUN HUNTER have been required to engage the services
14 of an attorney, incurring attorney's fees and costs to bring this action.
15

16 COUNT ONE

17 16. Plaintiffs incorporates paragraphs 1 through 15 of the Complaint as though said paragraphs
18 were fully set forth herein.

19 17. It was then and there the duty of the Defendant RONALD GERARD PYNE to exercise
20 ordinary care in the operation, maintenance and control of the motor vehicle for the safety of other
21 users of the public way, including the Plaintiffs herein.
22

23 18. Notwithstanding said duty, Defendant RONALD GERARD PYNE, was then and there
24 guilty of one or more of the following negligent acts and/or omissions:

- 25 (a) Failed to keep a proper lookout;
26 (b) Failed to apply his brakes when danger to the Plaintiffs was imminent;
27 (c) Failed to decrease speed so as to avoid hitting another vehicle, in violation
28 of the provisions of 625 ILCS 5/11-601;

1 (d) Failed to maintain control over said motor vehicle;

2 (e) Failed to give audible warning with the horn when such warning was
3 reasonably necessary to insure safety, in violation of 625 ILCS 5/12-601;
4 and

5 (f) Otherwise carelessly and negligently owned, operated, maintained and
6 controlled said motor vehicle.

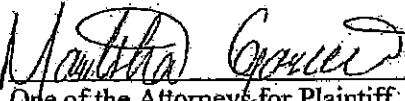
7 19. As a direct and proximate result of one or more or all of the above negligent acts and/or
8 omissions of Defendant RONALD GERARD PYNE, the front end of his motor vehicle struck the
9 rear-end of the motor vehicle Plaintiffs DEVIN HARRIS and BRESHAUN HUNTER were in.
10 This caused Plaintiffs DEVIN HARRIS and BRESHAUN HUNTER to be personally injured.

11 20. As a direct and proximate result of the negligence of Defendants, Plaintiffs DEVIN
12 HARRIS and BRESHAUN HUNTER have been damaged in a sum in excess of \$50,000.00.

13
14 WHEREFORE, Plaintiffs DEVIN HARRIS and BRESHAUN HUNTER, expressly
15 reserving the right to amend this complaint prior to or at the time of trial of this action, to insert
16 those items of damage not yet fully ascertainable, pray judgment against Defendant RONALD
17 GERARD PYNE and Defendant LTL SERVICE, INC., as follows:

- 18
19 1. For general damages sustained by Plaintiffs DEVIN HARRIS and BRESHAUN
20 HUNTER in an amount in excess of \$50,000.00;
21
22 2. For special damages sustained by Plaintiffs DEVIN HARRIS and BRESHAUN
23 HUNTER in an amount in excess of \$50,000.00;
24
25 3. For reasonable fees and costs;
26
27 4. For interest at the statutory rate; and
28
5. For such other relief as the Court deems just and proper.

Respectfully Submitted,

By: 
One of the Attorneys for Plaintiff

Maritsha Garcia, Esq.
Attorney Code No. 58935
POWELL & PISMAN, PLLC
875 N. Dearborn St., 4th Floor
Chicago, IL 60610
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F: 312-635-5482
maritsha@powellpisman.com

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CIRCUIT COURT OF
COOK COUNTY, ILLINOIS
LAW DIVISION
CLERK DOROTHY BROWN

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

HARRIS and BRESHAUN HUNTER,)
Plaintiffs,)

vs.)

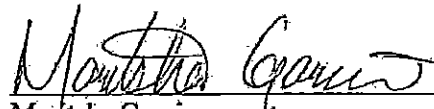
RONALD GERARD PYNE and LTL SERVICE,)
INC., a Wisconsin corporation,)
Defendants.)

CASE NO.:

SUPREME COURT RULE 222 AFFIDAVIT

I, Maritsha Garcia, an attorney, on oath state that I am an adult resident of the State of Illinois, I am of sound mind, and if called upon to testify would competently and faithfully testify to the following:

1. I am an attorney licensed to practice in the State of Illinois.
2. That I have reviewed the facts and the Plaintiffs' medical records in this matter and have determined that the value of Plaintiffs' claim exceeds \$50,000.00.


Maritsha Garcia

Maritsha Garcia, Esq.
Attorney Code No.58935
POWELL & PISMAN, PLLC
875 N. Dearborn St., 4th Floor
Chicago, IL 60610
P: 312-635-5400
F: 312-635-5482
maritsha@powellpisman.com

Summons - Alias Summons

(12/31/15) CCG N001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

DEVIN HARRIS; BRESHAUN HUNTER

v.

RONALD GERARD PYNE; LTL SERVICE, INC.No. 2017-L-012158

Defendant Address:

RONALD GERARD PYNE10804 W CHURCH STFRANKLIN, WI 53132☒ SUMMONS ☐ ALIAS - SUMMONS

To each defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Richard J. Daley Center, 50 W. Washington, Room 801, Chicago, Illinois 60602 | | |
| <input type="checkbox"/> District 2 - Skokie
5600 Old Orchard Rd.
Skokie, IL 60077 | <input type="checkbox"/> District 3 - Rolling Meadows
2121 Euclid 1500
Rolling Meadows, IL 60008 | <input type="checkbox"/> District 4 - Maywood
Maybrook Ave.
Maywood, IL 60153 |
| <input type="checkbox"/> District 5 - Bridgeview
10220 S. 76th Ave.
Bridgeview, IL 60455 | <input type="checkbox"/> District 6 - Markham
16501 S. Kedzie Pkwy.
Markham, IL 60428 | <input type="checkbox"/> Richard J. Daley Center
50 W. Washington, LL-01
Chicago, IL 60602 |

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than thirty (30) days after its date.

☒ Atty. No.: 58935Name: POWELL PISMAN PLLCAtty. for: DEVIN HARRISAddress: 875 N DEARBORN ST 4TH FLOORCity/State/Zip Code: CHICAGO, IL 60610Telephone: (312) 635-5400Primary Email Address: maritsha@powellpisman.comSecondary Email Address(es):

Witness: Wednesday, 29 November 2017/s/ DOROTHY BROWN

DOROTHY BROWN, Clerk of Court

Date of Service: _____

(To be inserted by officer on copy left with Defendant or other person)

**Service by Facsimile Transmission will be accepted at:

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

DEVIN HARRIS; BRESHAUN HUNTER

v.

RONALD GERARD PYNE; LTL SERVICE, INC.No. 2017-L-012158

Defendant Address:

LTL SERVICE, INC.R/A JOHN M. WIRTH731 N JACKSON ST, STE 900MILWAUKEE, WI 53202☒ SUMMONS ☐ ALIAS - SUMMONS

To each defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Richard J. Daley Center, 50 W. Washington, Room <u>801</u> , Chicago, Illinois 60602 | | |
| <input type="checkbox"/> District 2 - Skokie
5600 Old Orchard Rd.
Skokie, IL 60077 | <input type="checkbox"/> District 3 - Rolling Meadows
2121 Euclid 1500
Rolling Meadows, IL 60008 | <input type="checkbox"/> District 4 - Maywood
Maybrook Ave.
Maywood, IL 60153 |
| <input type="checkbox"/> District 5 - Bridgeview
10220 S. 76th Ave.
Bridgeview, IL 60455 | <input type="checkbox"/> District 6 - Markham
16501 S. Kedzie Pkwy.
Markham, IL 60428 | <input type="checkbox"/> Richard J. Daley Center
50 W. Washington, LL-01
Chicago, IL 60602 |

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

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This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than thirty (30) days after its date.

☒ Atty. No.: 58935Name: POWELL PISMAN PLLCAtty. for: DEVIN HARRISAddress: 875 N DEARBORN ST 4TH FLOORCity/State/Zip Code: CHICAGO, IL 60610Telephone: (312) 635-5400Primary Email Address: maritsha@powellpisman.comSecondary Email Address(es):

Witness: Wednesday, 29 November 2017/s/ DOROTHY BROWNDOROTHY BROWN, Clerk of CourtDate of Service:

(To be inserted by officer on copy left with Defendant or other person)

**Service by Facsimile Transmission will be accepted at:

(Area Code) (Facsimile Telephone Number)

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CIRCUIT COURT OF
COOK COUNTY, ILLINOIS
LAW DIVISION
CLERK DOROTHY BROWN

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

DEVIN HARRIS and
BRESHAUN HUNTER,

Plaintiffs,

v.

No: 17 L 012158

RONALD GERARD PYNE and LTL
SERVICE, INC., a Wisconsin Corporation,

Defendants.

NOTICE OF FILING

TO: Powell & Pisman, 875 N. Dearborn Street, 4th Floor, Chicago, IL 60610

PLEASE TAKE NOTICE that on December 5, 2017, we shall file with the Clerk of the Circuit Court of Cook County, Illinois, **Defendant LTL Service, Inc.'s Appearance and Jury Demand.**

MAISEL & ASSOCIATES

Mailing Address

P.O. Box 64093

St. Paul, MN 55164-0093

Street Address

161 N. Clark St., #800

Chicago, IL 60601

312-458-6500

Fax: 855-821-7317

Attorneys for Defendants

General Email: RPMLaw1@Travelers.com

PROOF OF SERVICE BY MAIL

The undersigned, being first duly sworn on oath, deposes and states that on December 5, 2017, she served the above mentioned documents by mailing a copy to each party above and depositing the same in the U.S. Mail at 161 N. Clark Street, Chicago, IL, at or before 5:00 p.m. with proper postage prepaid.


Nancy A. Keating

[x] Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the statements set forth herein are true and correct.

APPEARANCE

CALENDAR D
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CIRCUIT COURT OF
COOK COUNTY, ILLINOIS
LAW DIVISION
CLERK DOROTHY BROWN

☐ GENERAL APPEARANCE

0900 – APPEARANCE – FEE PAID; 0909 – APPEARANCE – NO FEE;
0904 – APPEARANCE FILED – FEE WAIVED

☒ JURY DEMAND

1900 – APPEARANCE & JURY DEMAND FEE PAID
1909 – APPEARANCE & JURY DEMAND NO FEE

The undersigned enter the appearance of:

☐ Plaintiff

☒ Defendant

LTL SERVICE, INC.

(INSERT LITIGANT'S NAME)

/s Joseph J. Wilson

SIGNATURE

☒ INITIAL COUNSEL OF RECORD

☐ PRO SE

☐ ADDITIONAL APPEARANCE

☐ SUBSTITUTE APPEARANCE

A copy of this appearance shall be given to all parties who have appeared and have not been found by the Court to be in default.

☒ Atty. No.: 41127 ☐ Pro Se 99500
(Please complete the following contact information.)

Name: MAISEL & ASSOCIATES

Atty. for: LTL SERVICE, INC.

Address: 161 N CLARK 800

City/State/Zip: CHICAGO, IL

Telephone: (312) 458-6500

Primary Email: Jjwilso1@travelers.com

Secondary Email: _____

Tertiary Email: _____

Pro Se Only: ☐ I have read and agree to the terms of the Clerk's Office Electronic Notice Policy and choose to opt in to electronic notice from the Clerk's office for this case at this email address:

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS